



**CITY OF BURLINGTON**  
**Minutes of the Common Council**  
**Jeannie Hefty, Mayor**  
**Diahnn C. Halbach, City Clerk**  
**Tuesday, June 6, 2017**

**1. Call To Order – Roll Call**

Council President Jon Schultz called the meeting to order at 7:10 p.m. starting with roll call. Aldermen present: Susan Kott, Ed Johnson, Bob Grandi, Ruth Dawidziak, Jon Schultz, Tom Preusker and Todd Bauman. Excused: Tom Vos, Mayor Hefty

Also present: City Administrator Carina Walters, City Attorney John Bjelajac, Finance Director Steve DeQuaker, Director of Administrative Services Megan Watkins, Police Chief Mark Anderson, Fire Chief Alan Babe, DPW Director Jim Bergles, Library Director Joe Davies and Building Inspector Gregory Guidry.

Council President Schultz announced that he would retain his right to vote during tonight's meeting.

**2. Pledge of Allegiance**

**3. Citizen Comments**

There were none.

**4. Chamber of Commerce Representative and Rescue Squad Representative**

There were none.

**5. Approval of the May 16, 2017 Common Council Minutes**

A motion was made by Alderman Johnson with a second by Alderman Bauman to approve the amended Council Minutes from May 16, 2017. With all in favor, the motion to approve the minutes was carried.

**6. Letters and Communications**

There were none.

**7. Reports by Aldermanic Representatives and Department Heads**

City Administrator, Carina Walters announced that the City would soon be transitioning to e-Checks, which will eventually eliminate hard copies of employees paycheck stubs and W2's, and allow users to access their information online at any time. Walters requested Council to submit their email addresses to her no later than June 9, 2017.

**8. Reports 1-7**

A motion was made by Alderman Grandi with a second by Alderman Dawidziak approve Reports 1-7. With all in favor, the motion carried.

**9. Payment of Vouchers**

A motion was made by Alderman Preusker with a second by Alderman Kott to approve vouchers, pre-pays and reimbursements in the amount of \$239,362.00.

Roll Call Aye: Kott, Johnson, Grandi, Dawidziak, Schultz, Preusker and Bauman. Nay: None. Motion carried 7-0.

**10. Licenses and Permits**

A motion was made by Alderman Bauman with a second by Alderman Grandi to approve licenses and permits as presented.

Alderman Bauman questioned as to when is Council allowed to deny a liquor license renewal. Attorney Bjelajac responded that once a license is issued, only with due cause can a license be revoked and due process must be followed.

Alderman Schultz stated that it was his understanding that Council had full and complete discretion to renew or not renew liquor licenses. Attorney Bjelajac responded that Council has infinite discretion when issuing an original license, but once a license has been issued, authorities may only refuse to renew a license if a sworn or written complaint has been filed with the clerk of the municipality alleging one or more violations about a person holding a liquor license.

Alderman Schultz stated that it's time to get serious about the state's limits on the number of licenses allowed per municipality and urged everyone to get involved with our legislatures and other municipalities. Alderman Dawidziak suggested that Alderman Schultz spearhead this endeavor and he glad accepted.

With all in favor the motion carried.

**11. Appointments and Nominations**

- A. Art Gardner to be appointed to the Plan Commission to replace Chris Reesman - term expires 05/01/2018.
- B. John Ekes to be appointed to the Plan Commission to replace Darrel Eisenhardt – term expires 05/01/2018.
- C. Suzanne Boucher to be appointed to the Zoning Board of Appeals as an alternate member to replace Amy Zott – term expires 01/01/2018.

President Schultz moved this item to be approved after the ordinances were read and voted on.

A motion was made by Alderman Johnson with a second by Alderman Dawidziak to approve Appointments and Nominations as presented. With all in favor the motion carried.

**12. Public Hearings**

There were none.

### **13. Resolutions**

- A. Resolution 4828(47)** to consider approving a Final Resolution and Installment Assessment Notice under §66.0703 Exercising its Assessment Power for Sanitary Sewer from 928 S. Pine Street to 1008 S. Pine Street.

A request for a second reading and a motion was made by Alderman Grandi with a second by Alderman Dawidziak to adopt Resolution 4828(47).

Roll Call Aye: Kott, Johnson, Grandi, Dawidziak, Schultz, Preusker and Bauman. Nay: None. Motion carried 7-0.

- B. Resolution 4851(9)** – to consider approving an Agreement between Burlington Rescue Squad, Inc. and the City of Burlington to convey ambulance #931.

A request for a second reading and a motion was made by Alderman Dawidziak with a second by Alderman Johnson to adopt Resolution 4851(9).

Roll Call Aye: Kott, Johnson, Grandi, Dawidziak, Schultz, Preusker and Bauman. Nay: None. Motion carried 7-0.

- C. Resolution 4852(10)** – to consider approving a Certified Survey Map for Paul and Patricia Naber for property located at the intersection of Stoney Hill Road and Rocky Road in the Town of Burlington within the City's Extraterritorial Plat Jurisdiction.

A request for a second reading and a motion was made by Alderman Bauman with a second by Alderman Dawidziak to adopt Resolution 4852(10).

With all in favor the motion carried.

- D. Resolution 4854(12)** – to consider approving Change Order Number One from the 2017 Street and Sidewalk Improvement Program to benefit the Burlington Community Pool Project to Reesman's Excavating & Grading, Inc. in the not-to-exceed amount of \$137,386.39.

A request for a second reading and a motion was made by Alderman Schultz with a second by Alderman Grandi to adopt Resolution 4854(12).

Roll Call Aye: Kott, Johnson, Grandi, Dawidziak, Schultz, Preusker and Bauman. Nay: None. Motion carried 7-0

### **14. Ordinances**

- A. Ordinance 2025(2)** – to consider approving an At-Large Charter Ordinance for the City of Burlington in order to provide a mixed Council of both Elected and At-Large Officials.

A request for a second reading was made by Alderman Preusker. Discussion ensued.

Alderman Grandi stated his opposition to this ordinance and suggested tabling this vote until citizen engagement could be better evaluated and then reconsider this in 2018.

President Schultz stated that he felt this ordinance was a good compromise and would actually improve citizen engagement and give more people an opportunity to represent the City as a whole and not district specific. Schultz also stated that elected officials, although are

representative of the district they reside in, also represent the City as a whole. Allowing half the council to be At-Large opens the pool of candidates that want to be involved with the City.

Aldermen Dawidziak and Bauman both stated that feedback from social media as well as face-to-face conversations with constituents liked the idea of a mixed-council and were both in favor with moving forward with the change.

Attorney Bjelajac explained stated that the Charter Ordinance requires a two-thirds majority of the governing body, which is six affirmative votes, in order for the motion to pass. Tabling the motion would require 4 affirmatives votes, which is the majority of the Alderman present.

A motion to table Ordinance 2025(2) was made by Alderman Grandi with a second by Alderman Preusker.

Roll Call Aye: Kott, Grandi. Nay: Johnson, Dawidziak, Schultz, Preusker, Bauman

The Motion to Table failed: 2-5.

A motion to approve Ordinance 2025(2) was made my Alderman Preusker with a second by Alderman Dawidziak.

Roll Call Aye: Johnson, Dawidziak, Schultz, Preusker, Bauman. Nay: Kott, Grandi.

The Motion to adopt Ordinance 2025(2) failed: 5-2.

- B. Ordinance 2026(3)** – to consider amending Section 6-8, “Plan Commission” of the Municipal Code of the City of Burlington.

A request for a second reading and a motion was made by Alderman Bauman with a second by Alderman Preusker to adopt Ordinance 2026(3). With all in favor the motion carried.

- C. Ordinance 2027(4)** – to consider amending Chapter 297-1(e)(1) “Taxicabs” in the Municipal Code of the City of Burlington.

A request for a second reading and a motion was made by Alderman Johnson with a second by Alderman Dawidziak to adopt Ordinance 2027(4). With all in favor the motion carried.

- D. Ordinance 2028(5)** – to consider amending Chapter 234, “Park Regulations” of the City of Burlington Municipal Code, to create Section 234-2 (E) to prohibit abandonment of any boat or watercraft from City of Burlington Park property.

A request for a second reading and a motion was made by Alderman Grandi with a second by Alderman Kott to adopt Ordinance 2028(5). With all in favor the motion carried

## **16. Motions**

- A. Motion 17-873** - to consider approving an Eagle Scout Project and City Project Regarding City Owned Property Located at 256 State Street.

A motion was made by Alderman Dawidziak with a second by Alderman Preusker to approve Motion 17-873. With all in favor the motion carried.

**B. Motion 17-874** – to consider the annual insurance renewal with Zarek Insurance.

A motion was made by Alderman Bauman with a second by Alderman Grandi to approve Motion 17-874. With all in favor the motion carried

**C. Motion 17-875** – to consider approving a Certificate of Appropriateness for 564 N. Pine Street.

A motion was made by Alderman Preusker with a second by Alderman Dawidziak to adopt Motion 17-875. With all favor the motion carried.

**16. ADJOURN INTO CLOSED SESSION**

*Wis. Stats 19.85(1)(e)*, Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

- Knight of Columbus building
- Discussion of possible site acquisition for Government Center
- Discussion of possible Joint Facility

A motion was made by Alderman Preusker with a second by Alderman Kott to adjourn into closed session.

Roll Call Aye: Kott, Johnson, Grandi, Dawidziak, Schultz, Preusker and Bauman. Nay: None. Motion carried 7-0. Meeting adjourned into Closed Session at 8:01 p.m.

**17. RECONVENE INTO OPEN SESSION**

A motion was made by Alderman Bauman with a second by Alderman Johnson to reconvene into open session. With all in favor, the meeting reconvened into open session at 9:14 p.m.

**18. ADJOURN**

A motion was made by Alderman Johnson with a second by Alderman Dawidziak to adjourn the meeting. With all in favor, the meeting adjourned at 9:15 p.m.

Meeting Minutes Respectfully Submitted by:

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Diahnn C. Halbach  
City Clerk  
City of Burlington